

DRAFT MITIGATED NEGATIVE DECLARATION

The following proposed project has been reviewed, pursuant to the provisions of Resolution No. 3231, as amended, of the City Council of the City of Fremont for the purpose of determining the likelihood of a significant adverse environmental impact occurring as a result of project completion.

NAME OF PROJECT: Tri-Cities Recycling & Disposal Facility Final Re-use Plan

PROJECT NO.: PLN2011-00100

DESCRIPTION OF PROJECT: The project consists of an application for a Preliminary Grading Plan, a General Plan Amendment from Agriculture to General Industrial, and a Rezoning from Agricultural w/ Flood Combining District [A(F)] and Planned District P-2005-262(F) to a new Planned District which would allow a medical waste processing facility, mulch processing and sales of finished products, concrete recycling and sales of finished products, and other associated waste disposal and recycling services at the former Tri-Cities Recycling and Disposal Facility (now referred to as Tri-Cities Resource Recovery Facility).

LOCATION OF PROJECT: 7010 (at the westerly terminus of) Auto Mall Parkway, Fremont, CA 94538 (APNs: 537-0801-002-03; 537-0801-003-03; 537-0802-003-04)

GEOGRAPHIC LOCATION WITHIN CITY: Baylands South Planning Area

NAME OF AUTHORIZED AGENT OF APPLICANT: Waste Management of Alameda County, Inc. (Kenneth Lewis – Project Manager)

CONTACT INFORMATION FOR APPLICANT OR AGENT: 172 98th Avenue, Oakland, CA 94603
Phone: (925) 455-7350

TYPE OF ENTITLEMENTS SOUGHT: General Plan Amendment from Agriculture to General Industrial; Rezoning from Agricultural w/ Flood Combining District Overlay [A(F)] and Planned District P-2005-262(F) to a new Planned District; Preliminary Grading Plan

EXPLANATION OF REASONS FOR THE FINDING: The Lead Agency has determined that the proposed project could have potentially significant impacts on air quality, biological resources, and cultural resources. However, mitigation listed in the Initial Study has been incorporated into the project which will reduce all potentially significant impacts to a less-than-significant level. These measures include implementation of a dust control plan during all grading and construction activities, pre-construction site surveys for various sensitive wildlife species and consultations with a qualified wildlife biologist, and procedural requirements in the event that any human remains or cultural artifacts are discovered during grading or construction activities.

Public Hearing: The Planning Commission is scheduled to consider this project at its December 8, 2011 public hearing. Planning Commission hearings are held in the City Council Chambers located at 3300 Capitol Ave., Fremont, 94538. Copies of all environmental documents are available for review at the Planning Division located at 39550 Liberty Street, 1st Floor, Fremont, 94538.

Any comments as to whether this draft Mitigated Negative Declaration should become final or whether an EIR should be prepared for the project must be submitted within 20 days of the posting of this draft Mitigated Negative Declaration. **The comment period begins November 7, 2011 and ends December 7, 2011.**

If this draft Mitigated Negative Declaration becomes final by any approval agency other than the City Council, any person who wishes to protest such final action must do so within ten days of the date it becomes final by the filing of a written protest with the City Clerk and by payment of the required protest fee. If this draft Mitigated Negative Declaration becomes final by City Council action, any person who disagrees with Council action may seek judicial review.

Posted within the Development Services Center on November 7, 2011.

Notice of Determination to be sent to:

<input checked="" type="checkbox"/>	Posting of Notice	<input checked="" type="checkbox"/>	County Clerk
<input checked="" type="checkbox"/>	Mailed to owners of contiguous property	<input checked="" type="checkbox"/>	Clearinghouse
<input checked="" type="checkbox"/>	Publish notice		

IF THERE ARE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT:

Stephen Kowalski	Associate Planner	(510) 494-4532
NAME	TITLE	PHONE NUMBER